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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Lu et al.

Art Unit:

2826

Serial No.:

10/722,013

Examiner:

Erdem, F.

Filing Date:

11/25/2003

Docket No.:

TI-35669

Customer No.:

23494

Conf. No.:

6979

Title:

A CAPACITOR FORMED ON A RECRYSTALLIZED POLYSILICON LAYER

AND A METHOD OF MANUFACTURE THEREFOR

### **AMENDMENT UNDER 37 CFR 1.111**

#### **CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following papers are being transmitted by facsimile to the U.S. Patent and

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Jacqueline J Samer Reg No. 36,144

Dear Sir:

The following remarks are offered in response to the Examiner's Office Action dated 12/01/2005. They are respectfully submitted as a full and complete response to that Action.

#### REMARKS

Reconsideration of the above-referenced application in view of the following remarks is respectfully requested.

Claims 2-5, 7-10, and 12-21 are pending in this case. Claims 5, 7-10, and 12-21 stand allowed.

The Examiner rejected claims 2 and 3 under 35 U.S.C.§ 103(a) as being unpatentable over Mitani (JP 60148163) in view of Janning (U.S. Patent 4,667,217)